

5650  
1/21



8/9735601  
80 Rec'd CT/PTO 12 JAN 1998

ATTORNEY DOCKET NO. INGE.006.00US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **van der Eb et al.**

Serial No.: 08/973,560

Filed: December 5, 1997

For: **p-53 BINDING PROTEIN CALLED  
Mdmx AND ENCODING SEQUENCES  
FOR SAID PROTEIN**

)  
) Examiner: Not Yet Assigned  
)  
) Art Unit: Not Yet Assigned  
)  
) INFORMATION DISCLOSURE  
) STATEMENT TRANSMITTAL  
)  
)  
)

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is:

- ☒ [X] An Information Disclosure Statement.
- ☒ [X] A PTO-1449.
- ☒ [X] Copies of references listed on the PTO-1449 form.
- ☐ [ ] English translation of foreign language references.
- ☒ [X] Copy of foreign examination report.
- ☐ [ ] English translation of foreign examination report.
- ☒ [X] Abstract of foreign language reference.

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on 1/8/98

Signature: Gwofosi

Printed Name: Gloria Ofosi

- ☒ Return postcard (postage prepaid).
- ☐ Also transmitted is: \_\_\_\_\_
1. ☒ This Information Disclosure Statement is filed before the later of:
- ☐ three months from the filing date of this national application;
  - ☒ three months from the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or
  - ☐ the mailing date of a first office action on the merits.
- ☒ In accordance with 37 C.F.R. § 1.97(b), no fee is required.
2. ☐ This Information Disclosure Statement is filed after the events noted in paragraph 2, but before either:
- ☐ (1) a final action under 37 C.F.R. § 1.113; or
  - ☐ (2) a Notice of Allowance under 37 C.F.R. § 1.311.
- ☐ In accordance with 37 C.F.R. § 1.97(c) also enclosed is:
- ☐ a fee under 37 C.F.R. § 1.17(p) in the amount of \$240; or
  - ☐ a certification as stated below.
3. ☐ This Information Disclosure statement is filed before the payment of the issue fee, but after either:
- ☐ (1) a final action under 37 C.F.R. § 1.113; or
  - ☐ (2) a Notice of Allowance under 37 C.F.R. § 1.311.
- ☐ In accordance with 37 C.F.R. § 1.97(d) also enclosed is:
- ☐ (1) A certification, as stated below;
  - ☐ (2) A Petition requesting consideration of the Information Disclosure

Statement; and

- ☐ (3) The petition fee set forth in 37 C.F.R. § 1.17(i)(1) in the amount of \$ \_\_\_\_\_

Certification

The undersigned also states:

- ☐ Each item of information contained in the Information Disclosure Statement cited herein was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or
- ☐ No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

The fees indicated above are:

**TOTAL FEES: \$ 0**

- ☐ A check including the amount of the above-indicated TOTAL FEES is attached.
- ☐ Please charge Deposit Account No. 18-0020 in the amount of: \$ \_\_\_\_\_
- ☐ A check in the amount of \$ \_\_\_\_\_ is attached.
- ☒ No fee is required.
- ☒ The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 18-0020.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17.

[ ] A triplicate copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Dated: January 6, 1998

Barbara Rae-Venter  
Barbara Rae-Venter, Ph.D.  
Reg. No. 32,750

RAE-VENTER LAW GROUP, P.C.  
P.O. Box 60039  
Palo Alto, CA 94306-0039  
Telephone (650) 328-4400  
Facsimile (650) 328-4477

BRV/gwo

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **van der Eb et al**

Serial No.: 08/973,560

Filed: December 5, 1997

For: **p-53 BINDING PROTEIN CALLED  
Mdmx AND ENCODING SEQUENCES  
FOR SAID PROTEIN**Assistant Commissioner for Patents  
Washington, D.C. 20231) Examiner: Not yet assigned  
)  
) Art Unit: Not Yet Assigned  
) **INFORMATION DISCLOSURE**  
) **STATEMENT**  
)  
)

Sir:

This Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention.

Applicant makes no representation that a complete search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material.

☒ Several of the publications were cited in a foreign examination report in a related case. A copy of the search report is attached hereto.

**CERTIFICATE OF FIRST-CLASS MAILING**

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on

Signature: 1/8/98  
Gloria OtosiPrinted Name: Gloria Otosi

The subject application is believed patentable over any of the above references.

Respectfully submitted,

Dated:

January 6, 1998

Barbara Rae-Venter

Barbara Rae-Venter, Ph.D.

Reg. No. 32,750

RAE-VENTER LAW GROUP, P.C.

P.O. Box 60039

Palo Alto, CA 94306-0039

Telephone (650) 328-4400

Facsimile (650) 328-4477

BRV/DSS/gwo

PATENT

DOCKET NO. INGE.006.00US

COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231FORM PTO-1449 (Modified)  
LIST OF PATENTS AND PUBLICATIONS  
FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)  
Sheet 1 of 1In re application of: van der Eb *et al.*

Art Unit: Not Yet Assigned

Serial No. 08/973,560

Examiner: Not Yet Assigned

Filed: December 5, 1997

## U.S. PATENT DOCUMENTS

Ref. <u>Desig.</u>	Examiner's <u>Initials</u>	Document <u>Number</u>	<u>Date</u>	<u>Name</u>	Class/ <u>Subclass</u>	<u>Filing Date</u>
-----------------------	-------------------------------	---------------------------	-------------	-------------	---------------------------	--------------------

## FOREIGN PATENT DOCUMENTS

Ref. <u>Desig.</u>	Examiner's <u>Initials</u>	Document <u>Number</u>	<u>Date</u>	<u>Country</u>	Class/ <u>Subclass</u>	<u>Filing Date</u>
B1		WO 93/20238	10/14/93	WO		
B2		WO 94/08241	4/14/94	WO		

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Ref. <u>Desig.</u>	Examiner's <u>Initials</u>
-----------------------	-------------------------------

C1	Sikela & Hahn (1987) <u>Proc. Natl. Acad. Sci.</u> 84:3038-3042
----	---

Examiner:

Date Considered:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.